

REMARKS/ARGUMENTS

In response to the Office Action dated June 22, 2005, please consider the following remarks.

In the Office Action issued June 22, 2005, claims 1-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent Application Publication No. 2002/0035697 to McCurdy et al. (McCurdy) in view of US Patent No. 6,297,824 to Hearst et al. (Hearst). Claim 18 was objected to as being of improper dependent form.

Claims 1-22 are now pending in this application. Claims 1, 11, 15, 16, and 18-22 have been amended to clarify the subject matter that the applicant considers to be the invention and to correct the dependent form of claims 18-22.

The applicant respectfully submits that the present invention, according to claims 1-22 is not obvious over McCurdy in view of Hearst. McCurdy discloses systems and methods for distributing and viewing electronic documents. In particular, McCurdy discloses a method for creating a digital magazine file using a PDF file that represents the printed version of the magazine at the desired resolution for display purposes. This file is used to create the proprietary data format (e.g., ZDF) files by adding links and other metadata consistent with the final proprietary (e.g., ZNO) data format. This format conversion is done in order to require a user to use a proprietary reader to read the magazine as a replica in portrait mode. By contrast, the present invention, for example, according to claim 1, requires electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. McCurdy does not disclose this. Rather, McCurdy discloses generating a file with a

proprietary data format from a file that represents the printed version of the magazine and which retains the layout of the printed version of the magazine. McCurdy does not disclose or suggest electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner.

This point is further shown by Fig. 16 of McCurdy, which is a screen shot depicting a two page reading layout of the electronic magazine. Clearly, these pages have not been laid out such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. Likewise, Fig. 17 of McCurdy is a screen shot depicting a single page browsing layout of the electronic magazine. Clearly, this page has not been laid out such that each page fully fits a display screen, so that each page is displayable in a full-screen manner.

In addition, since McCurdy does not disclose or suggest electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner, McCurdy does not disclose or suggest performing any operations to such pages. In particular, McCurdy does not disclose or suggest combining the plurality of pages to form a single document, the document including at least one digital file. This step is not disclosed or suggested by McCurdy because the pages referred to are not disclosed or suggested by McCurdy. Further, since McCurdy merely discloses format conversion of an existing file, and does not disclose or suggest laying out of individual pages, there is no disclosure or suggestion in McCurdy of combining such pages to form a single document.

Hearst discloses an interactive interface for visualizing results from a search of a corpus of machine-readable documents. As shown in Figs 3, 4, 7, 8, 9, the page displays that are disclosed by Hearst have not been laid out such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. Thus, Hearst does not disclose or suggest electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner.

Likewise, since Hearst does not disclose or suggest electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner, Hearst does not disclose or suggest performing any operations to such pages. In particular, Hearst does not disclose or suggest combining the plurality of pages to form a single document, the document including at least one digital file.

Even if McCurdy and Hearst are combined as suggested by the Examiner, the resulting combination still fails to disclose the requirements of the present invention of electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner and combining the plurality of pages to form a single document, the document including at least one digital file.

Thus, the present invention, according to claim 1, and according to claims 11, 15, and 16, which are similar to claim 1, and according to claims 2-10, 12-14, and 17-22, which depend therefrom, is not unpatentable over McCurdy in view of Hearst.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

INTERVIEW RECORD

On August 30, 2005, a personal interview was conducted with the Examiner, Joshua Campbell. Also present were inventor Pat Kenny and attorney Michael Schwartz. A demonstration of digital magazine incorporating the present invention was shown to the Examiner. The independent claims were discussed, as were the McCurdy and Hearst references. Applicant argued that McCurdy and Hearst did not teach electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. Applicants agreed to clarify this point in the claims.

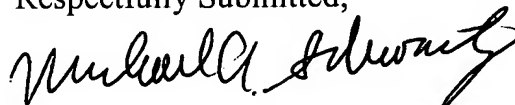
Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (25746.0018).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", written in a cursive style.

Michael A. Schwartz
Reg. No. 40,161

Dated: October 11, 2005

Swidler Berlin LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500

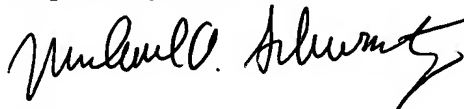
- ☐ within three months of the filing of the above U.S. national application or of the date of entry of the U.S. national stage in an International Patent Application (no fee is due);
- ☐ before receiving a first Office Action on the merits of the above-identified patent application; or before receiving a first Office Action after filing of a Request for Continued Examination (no fee is due);
- ☐ following receipt of a first Office Action, but before issuance of a Final Office Action or a Notice of Allowance (if this box is checked, one of the last three boxes also must be checked);

OR

- ☐ following receipt of a Notice of Allowance or a Final Office Action (if this box is checked, the next box and one of the last two boxes also must be checked).
- ☐ The Commissioner is hereby authorized to charge Deposit Account 19-5127, in the amount of \$180.00 for payment of the fee set forth in 37 CFR § 1.17(p).
- ☒ The undersigned certifies that each item of this information is being submitted within three months of the date it was cited by a foreign patent office in a counterpart application.
- ☐ The undersigned certifies that, after making reasonable inquiry, he/she has no knowledge that any item of this information was cited by a foreign patent office in a counterpart application or was known more than three months prior to this submission.

The Commissioner is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 19-5127.

Respectfully Submitted,



Michael A. Schwartz
Reg. No. 40,161

Dated: October 11, 2005

Swidler Berlin LLP
3000 K Street, NW, Suite 300
Washington, D.C. 20007
(202) 424-7500